

By: Arbust

S.C.R. No. 63

SENATE CONCURRENT RESOLUTION

1 WHEREAS, The protection and maintenance of groundwater
2 quality is an important goal of the State of Texas; and

3 WHEREAS, The preservation, conservation, protection, and
4 natural or artificial recharge of groundwater resources or aquifers
5 is an equally important goal of the State of Texas; and

6 WHEREAS, The Texas Legislature recognizes that the quality of
7 groundwaters is differentiated from aquifer to aquifer; and

8 WHEREAS, By Senate Bill No. 1477, Chapter 626, Acts of the
9 73rd Legislature, Regular Session, 1993, as amended by House Bill
10 No. 3189, Chapter 612, Acts of the 74th Legislature, Regular
11 Session, 1995, the Texas Legislature created the Edwards Aquifer
12 Authority and vested in it primary jurisdiction to, among other
13 things, regulate withdrawals from and protect the water quality of
14 the Edwards Aquifer; and

15 WHEREAS, By various provisions in Senate Bill No. 1477, the
16 Texas Legislature vested in the Edwards Aquifer Authority authority
17 to oversee and implement projects for the artificial recharge of
18 the Edwards Aquifer to increase the supply of water to that aquifer
19 by naturally occurring channels or artificial means; and

20 WHEREAS, The Texas Legislature did not specifically state in
21 any of the provisions of Senate Bill No. 1477 that address
22 artificial recharge whether it intended the use of groundwaters,
23 surface waters, or both to increase the supply of waters to the
24 Edwards Aquifer; and

____.C.R. No. ____

1 WHEREAS, The Texas Legislature finds that it is against the
2 public policy of this state to deplete one groundwater resource for
3 the benefit of another; and

4 WHEREAS, The Texas Legislature also finds that blending
5 groundwaters from more than one aquifer may degrade the quality of
6 the receiving or the injected groundwaters; now, therefore, be it

7 RESOLVED, That the 76th Legislature of the State of Texas
8 finds that the legislature did not contemplate or intend that
9 groundwaters from an aquifer other than the Edwards Aquifer be
10 available for use for the artificial recharge of the Edwards
11 Aquifer as that practice could cause the depletion of one
12 groundwater resource for the benefit of another or degrade the
13 receiving or injected groundwaters; and, be it further

14 RESOLVED, That the Texas Legislature intended and
15 contemplated that only surface waters would be available for use
16 for the artificial recharge of the Edwards Aquifer.

BILL ANALYSIS

Senate Research Center

S.C.R. 63
By: Armbrister
Natural Resources
4/26/1999
As Filed

DIGEST

Currently, certain individuals attempt to mine water from other aquifers to inject into the Edwards Aquifer to obtain credits for pumping amounts at a later point in time. Such action causes pollution and degradation of the Edwards Aquifer in the attempt to recharge it. Furthermore, this groundwater piracy results in the waste and depletion of other aquifers, and it is against the public policy of Texas to deplete one groundwater resource for the benefit of another. S.C.R. 63 addresses legislative concerns regarding the protection and maintenance of groundwater quality.

PURPOSE

As proposed, S.C.R. 63 submits the following resolutions:

That the legislature did not contemplate or intend that certain groundwaters be used for artificial recharge of an aquifer other than the Edwards Aquifer as that practice could deplete one resource to benefit another, or degrade the receiving or injected groundwaters.

That the Texas Legislature intended and contemplated that only surface waters would be available for use for the artificial recharge of the Edwards Aquifer.

1-1 By: Armbrister S.C.R. No. 63
1-2 (In the Senate - Filed April 12, 1999; April 20, 1999, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 30, 1999, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 30, 1999, sent to printer.)

1-6 SENATE CONCURRENT RESOLUTION

1-7 WHEREAS, The protection and maintenance of groundwater
1-8 quality is an important goal of the State of Texas; and

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1-10 natural or artificial recharge of groundwater resources or aquifers
1-11 is an equally important goal of the State of Texas; and

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1-13 groundwaters is differentiated from aquifer to aquifer; and

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1-15 73rd Legislature, Regular Session, 1993, as amended by House Bill
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1-17 Session, 1995, the Texas Legislature created the Edwards Aquifer
1-18 Authority and vested in it primary jurisdiction to, among other
1-19 things, regulate withdrawals from and protect the water quality of
1-20 the Edwards Aquifer; and

1-21 WHEREAS, By various provisions in Senate Bill No. 1477, the
1-22 Texas Legislature vested in the Edwards Aquifer Authority authority
1-23 to oversee and implement projects for the artificial recharge of
1-24 the Edwards Aquifer to increase the supply of water to that aquifer
1-25 by naturally occurring channels or artificial means; and

1-26 WHEREAS, The Texas Legislature did not specifically state in
1-27 any of the provisions of Senate Bill No. 1477 that address
1-28 artificial recharge whether it intended the use of groundwaters,
1-29 surface waters, or both to increase the supply of waters to the
1-30 Edwards Aquifer; and

1-31 WHEREAS, The Texas Legislature finds that it is against the
1-32 public policy of this state to deplete one groundwater resource for
1-33 the benefit of another; and

1-34 WHEREAS, The Texas Legislature also finds that blending
1-35 groundwaters from more than one aquifer may degrade the quality of
1-36 the receiving or the injected groundwaters; now, therefore, be it

1-37 RESOLVED, That the 76th Legislature of the State of Texas
1-38 finds that the legislature did not contemplate or intend that
1-39 groundwaters from an aquifer other than the Edwards Aquifer be
1-40 available for use for the artificial recharge of the Edwards
1-41 Aquifer as that practice could cause the depletion of one
1-42 groundwater resource for the benefit of another or degrade the
1-43 receiving or injected groundwaters; and, be it further

1-44 RESOLVED, That the Texas Legislature intended and
1-45 contemplated that only surface waters would be available for use
1-46 for the artificial recharge of the Edwards Aquifer.

1-47 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 63
By ARMBRISTER
(Author/Senate Sponsor)
4-29-99
(date)

We, your Committee on NATURAL RESOURCES, to which was referred the attached measure,
have on 4-27-99, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Brown, Chairman	<input checked="" type="checkbox"/>			
Senator Armbrister, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Bivins			<input checked="" type="checkbox"/>	
Senator Haywood	<input checked="" type="checkbox"/>			
Senator Lucio	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Senator Ratliff			<input checked="" type="checkbox"/>	
TOTAL VOTES	5		2	

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

Carol H. Gans
COMMITTEE CLERK

Michael
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

SCR 63
SENATE COMMITTEE REPORT
Natural Resources Committee

April 27, 1999 - 2:30P

Registering, but not testifying:

For: Bailey, Chuck (Ed Vaughn, P.C.), Austin

Clayton, Bill (Uvalde Water District - consultant), Austin

On: Musick, Steve (TNRCC-Manager-Groundwater Assessment Section),
Austin

BILL ANALYSIS

Senate Research Center

S.C.R. 63
By: Armbrister
Natural Resources
4/26/1999
As Filed

DIGEST

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PURPOSE

As proposed, S.C.R. 63 submits the following resolutions:

That the legislature did not contemplate or intend that certain groundwaters be used for artificial recharge of an aquifer other than the Edwards Aquifer as that practice could deplete one resource to benefit another, or degrade the receiving or injected groundwaters.

That the Texas Legislature intended and contemplated that only surface waters would be available for use for the artificial recharge of the Edwards Aquifer.

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SR 63, by: ARMIBREISTER,
(Bill No.) (Author/Sponsor)
was heard by the Natural Resources Committee on 4-27-, 1999,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Carol K. McSane
(Clerk of the reporting committee)

IMPORTANT: THE YELLOW COPY OF THIS FORM AND (1) COPY OF YOUR BILL OR RESOLUTION (COMMITTEE PRINTED VERSION) MUST BE DELIVERED TO THE ADMINISTRATION OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS WILL BE ANNOUNCED ON A REGULAR BASIS.

Committee Clerks: Original to Calendar Clerk. Pink copy for committee files. Green and yellow copies to bill author/sponsor.
Author/Sponsor: Green copy for office files. Submit yellow copy to Administration with your bill.

S.C.R. 63

By Armbrister

SENATE CONCURRENT RESOLUTION

Declaring legislative intent that only surface waters be available for use for the artificial recharge of the Edwards Aquifer.

APR 12 1999 Filed with Secretary of the Senate

APR 20 1999 Read first time and referred to Committee on NATURAL RESOURCES

APR 30 1999 Reported favorably _____

_____ Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ Laid before Senate

_____ Consideration ordered by:

unanimous consent

_____ yeas, _____ nays

_____ Read, _____ and adopted.

SECRETARY OF THE SENATE

Engrossing Clerk

_____ Received from Senate

_____ Read first time and referred to Committee on _____

_____ Reported _____ favorably (as amended) (as substituted)

_____ Sent to Committee on (Calendars) (Local & Consent Calendars)

_____ Read (comm. subst.), (amended) and adopted (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Returned to Senate.

CHIEF CLERK OF THE HOUSE

_____ Returned from House without amendment.

_____ Returned from House with _____ amendments.

_____ Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.